

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

DARRYL JAYVONN LEE,

Petitioner,

v.

DOUGLAS DRETKE, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division,

Respondent.

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2:06-CV-0037


ORDER OVERRULING OBJECTIONS,
ADOPTING REPORT AND RECOMMENDATION,
and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS

Came for consideration the federal habeas corpus application filed by petitioner DARRYL JAYVONN LEE a state prisoner. On August 14, 2006, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed for failure to exhaust. Petitioner filed objections to the Magistrate Judge's Report and Recommendation on August 23, 2006. Respondent was ordered to respond to petitioner's objections and respondent filed his response on September 14, 2006.

The undersigned United States District Judge has made an independent examination of the record in this case. Petitioner's objections are hereby OVERRULED, and the Magistrate Judge's Report and Recommendation is hereby ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DISMISSED. Let Judgment be entered accordingly.

IT IS SO ORDERED.

ENTERED this 18th day of September 2006.


MARY LOU ROBINSON
UNITED STATES DISTRICT JUDGE